

Public Law 102-55
102d Congress

An Act

June 13, 1991
[H.R. 2251]

Dire Emergency
Supplemental
Appropriations
From
Contributions of
Foreign
Governments
And/Or Interest
for
Humanitarian
Assistance to
Refugees and
Displaced
Persons In and
Around Iraq as a
Result of the
Recent Invasion
of Kuwait
and for
Peacekeeping
Activities and
Other Urgent
Needs Act of
1991.

Making dire emergency supplemental appropriations from contributions of foreign governments and/or interest for humanitarian assistance to refugees and displaced persons in and around Iraq as a result of the recent invasion of Kuwait and for peacekeeping activities, and for other urgent needs for the fiscal year ending September 30, 1991, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide dire emergency supplemental appropriations for the fiscal year ending September 30, 1991, and for other purposes, namely:

CHAPTER I

DEPARTMENT OF DEFENSE—MILITARY

PERSIAN GULF REGIONAL DEFENSE FUND

(TRANSFER OF FUNDS)

In addition to the purposes for which it is otherwise available, the Persian Gulf Regional Defense Fund shall be available for the incremental costs of the Department of Defense incurred in connection with Operation Provide Comfort and any other humanitarian efforts for the relief of refugees and displaced persons in and around Iraq as a result of the recent invasion of Kuwait and, upon a determination by the Secretary of Defense that such action is necessary, he may transfer from the Persian Gulf Regional Defense Fund not to exceed \$320,500,000 from the amounts appropriated for Operation Desert Shield/Desert Storm in the Operation Desert Shield/Desert Storm Supplemental Appropriations Act, 1991, to be used for incremental costs of such humanitarian relief efforts, to the following accounts in not to exceed the following amounts as determined by the Secretary of Defense:

MILITARY PERSONNEL

(TRANSFER OF FUNDS)

For an additional amount for appropriations under the heading "Military Personnel", \$2,000,000.

OPERATION AND MAINTENANCE

(TRANSFER OF FUNDS)

For an additional amount for appropriations under the heading "Operation and Maintenance", \$318,500,000.

DEFENSE COOPERATION ACCOUNT

(TRANSFER OF FUNDS)

For contributions only to the military relief societies, not to exceed \$16,000,000 is appropriated from the Defense Cooperation Account, to be derived only from the interest payments deposited to the credit of such account, and not from any contributions of foreign governments in such account, to be available only for transfer as a contribution by the Secretary of Defense to the following relief societies in not to exceed the following amounts: Army Emergency Relief Society, \$10,000,000; Navy-Marine Corps Relief Society, \$5,000,000; Air Force Aid Society, \$1,000,000: *Provided*, That contributions made as provided herein shall be treated in the same manner, to the same extent, and for all purposes, as contributions received by such societies from private individuals and organizations.

GENERAL PROVISIONS—CHAPTER I

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. The authority provided in this chapter to transfer funds from the Defense Cooperation Account and the Persian Gulf Regional Defense Fund is in addition to any other transfer authority contained in any other Act making appropriations for the Department of Defense for fiscal year 1991: *Provided*, That any amounts so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. The costs for which transfers are provided herein are costs associated with Operation Desert Storm: *Provided further*, That any limitations applicable to the amounts that may be transferred to individual appropriations of the Department of Defense from the Fund are hereby increased by the amount of transfers made pursuant to this provision.

SEC. 102. Notwithstanding any other provision of law, the balance of the \$15,000,000,000 corpus to be maintained in the Persian Gulf Regional Defense Fund shall be reduced by the amount of transfers from such fund made to support Operation Provide Comfort and other humanitarian relief efforts as provided in this chapter.

CHAPTER II

DEPARTMENT OF STATE

DEFENSE COOPERATION ACCOUNT

For a portion of the expenses associated with Operation Desert Storm and the provision of emergency assistance, pursuant to section 251(b)(2)(D)(i) of Public Law 99-177, as amended, for refugees and displaced persons in and around Iraq as a result of the recent invasion of Kuwait, and for peacekeeping activities and for international disaster assistance in the region, there is appropriated from the Defense Cooperation Account, \$235,500,000, to be derived from any contributions of foreign governments and/or interest payments deposited to the credit of such account, which shall be available only for transfer by the Secretary of Defense to "International Disaster Assistance", "Migration and Refugee Assistance", "United States

Emergency Refugee and Migration Assistance", and "Contributions to International Peacekeeping Activities", as follows:

FUNDS APPROPRIATED TO THE PRESIDENT

BILATERAL ECONOMIC ASSISTANCE

INTERNATIONAL DISASTER ASSISTANCE

(TRANSFER OF FUNDS)

For an additional amount for "International Disaster Assistance", \$67,000,000, to remain available until expended: *Provided*, That in addition to amounts otherwise available for such purposes, up to \$200,000 of the funds appropriated under this heading may be made available for the purpose of paying administrative expenses of the Agency for International Development in connection with carrying out its functions under this heading.

DEPARTMENT OF STATE

MIGRATION AND REFUGEE ASSISTANCE

(TRANSFER OF FUNDS)

For an additional amount for "Migration and Refugee Assistance", \$75,000,000: *Provided*, That in addition to amounts otherwise available for such purposes, up to \$250,000 of the funds appropriated under this heading may be made available for the administrative expenses of the Office of Refugee Programs of the Department of State: *Provided further*, That funds made available under this heading shall remain available until September 30, 1992.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

(TRANSFER OF FUNDS)

For an additional amount for the "United States Emergency Refugee and Migration Assistance Fund", \$68,000,000, to remain available until expended: *Provided*, That the funds made available under this heading are appropriated notwithstanding the provisions contained in section 2(c)(2) of the Migration and Refugee Assistance Act of 1962 that would limit the amount of funds that could be appropriated for this purpose.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS TO INTERNATIONAL PEACEKEEPING ACTIVITIES

(TRANSFER OF FUNDS)

For an additional amount for "Contributions to international peacekeeping activities", \$25,500,000, to remain available until September 30, 1992.

GENERAL PROVISIONS—CHAPTER II

SEC. 201. The authority provided in this chapter to transfer funds from the Defense Cooperation Account is in addition to any other transfer authority contained in any other Act making appropriations for fiscal year 1991.

SEC. 202. Funds transferred or otherwise made available pursuant to this Act may be made available notwithstanding any provision of law that restricts assistance to particular countries.

SEC. 203. Funds transferred pursuant to this chapter for International Disaster Assistance and the United States Emergency Refugee and Migration Assistance Fund may be used for any of the purposes for which funds are authorized under those accounts and may also be used to replenish appropriations accounts from which assistance was provided prior to the enactment of this Act, notwithstanding any other provision of this or any other Act.

SEC. 204. Amounts obligated for fiscal year 1991 under the authority of section 492(b) of the Foreign Assistance Act of 1961 to provide international disaster assistance in connection with the Persian Gulf crisis shall not be counted against the ceiling limitation of such section.

SEC. 205. The value of any defense articles, defense services, and military education and training authorized as of April 20, 1991, to be drawn down by the President under the authority of section 506(a)(2) of the Foreign Assistance Act of 1961 shall not be counted against the ceiling limitation of such section.

SEC. 206. Funds made available under this chapter may be made available notwithstanding section 10 of Public Law 91-672 and section 15(a) of the State Department Basic Authorities Act of 1956.

SEC. 207. None of the funds appropriated by the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101-513), under the heading "Economic Support Fund", that were allocated for Pakistan may be made available for assistance for another country or purpose unless notification is provided in accordance with the regular notification procedures of the Committees on Appropriations.

CHAPTER III

Reports.

NATURAL DISASTERS

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

The Director of the Office of Management and Budget, using up to \$35,000 of funds previously appropriated under this head in Public Law 101-509, shall prepare a report on unfunded costs of dire emergencies existing because of floods, droughts, tornadoes, unemployment, and other disasters in the United States and submit the report to the appropriate committees of Congress within ten days of the date of enactment of this Act, pending receipt of a budget request.

The Director of the Office of Management and Budget, using up to \$15,000 of funds previously appropriated under this head in Public Law 101-509, shall prepare a report on unfunded costs, including food assistance, of international disaster emergencies existing because of floods, droughts, tornadoes, and other disasters and prepare

a report on the threats to oil supply, human health and the environment, that the Kuwaiti oil fires might pose and submit the reports to the appropriate committees of Congress within ten days of the date of enactment of this Act, pending receipt of a budget request.

CHAPTER IV

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

Of the funds appropriated under this heading in Public Law 101-515 and Public Law 102-27, \$159,325,000 shall be available to carry out export promotion programs notwithstanding the provisions of section 201 of Public law 99-64.

THE JUDICIARY

COURTS OF APPEALS, DISTRICT COURTS AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

(RESCISSION)

Of the funds appropriated under this heading in Public Law 101-515, \$8,262,000 is hereby rescinded.

DEFENDER SERVICES

For an additional amount for "Defender Services", \$8,000,000 to remain available until expended.

CHAPTER V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Funds made available in this Act, being incremental costs of "Operation Desert Storm" or offset, similar to items in the Dire Emergency Supplemental Appropriations Act, Public Law 102-27, and the Operation Desert Shield/Desert Storm Supplemental Appropriations Act, Public Law 102-28, are off budget.

SEC. 503. During the current fiscal year, the Secretary of Defense may accept burdensharing contributions in the form of money from the Republic of Korea for the costs of local national employees of the Department of Defense to be credited to Department of Defense operation and maintenance appropriations available for the salaries and benefits of such Korean national employees to be merged with and to be available for the same purposes and time period as those appropriations to which credited: *Provided*, That not later than October 31, 1991, the Secretary of Defense shall submit a report on the contributions accepted by the Secretary under this provision.

This Act may be cited as the "Dire Emergency Supplemental Appropriations From Contributions of Foreign Governments And/

Korea.
Reports.

Or Interest for Humanitarian Assistance to Refugees and Displaced Persons In and Around Iraq as a Result of the Recent Invasion of Kuwait and for Peacekeeping Activities and Other Urgent Needs Act of 1991”.

Approved June 13, 1991.

LEGISLATIVE HISTORY—H.R. 2251 (S. 786):

HOUSE REPORTS: No. 102-71 (Comm. on Conference).

CONGRESSIONAL RECORD, Vol. 137 (1991):

May 9, considered and passed House; considered and passed Senate, amended.

May 22, House agreed to conference report; receded and concurred in Senate amendment, in others with amendments. Senate agreed to conference report; concurred in House amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 27 (1991):

June 13, Presidential statement.